

PERKINS COIE LLP

Julie E. Schwartz, Bar No. 260624
JSchwartz@perkinscoie.com
1201 Third Avenue
Suite 4900
Seattle, WA 98101
Telephone: +1.206.359.8000
Facsimile: +1.206.359.9000

Doris Alvarez-Reyes, Bar No. 340925
DAlvarezReyes@perkinscoie.com
1888 Century Park East, Suite 1700
Los Angeles, California 90067-1721
Telephone: +1.310.788.9900
Facsimile: +1.310.788.3399

Attorneys for Non-Party
REDDIT, INC.

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

In re: Subpoena Reddit, Inc.

Case No. 4:23-mc-80119-KAW

(Originating Case: *Silva v. Doe I*, et al., S.D.
Fla. 1:22-cv-24262-RKA)

**DECLARATION OF JOHN K. ROCHE
IN SUPPORT OF NON-PARTY REDDIT,
INC.'S RESPONSE TO PLAINTIFF'S
MOTION TO COMPEL**

1 I, John K. Roche, hereby declare as follows:

2 1. I am a partner with the law firm Perkins Coie LLP, attorneys for Reddit, Inc.
3 (“Reddit”). I have personal knowledge of the facts set forth in this declaration and, if called as a
4 witness, could competently testify to them.

5 2. Reddit is a Delaware corporation with its principal place of business in San Francisco,
6 California. Reddit operates the reddit.com platform, a community of online communities called
7 “subreddits” where users gather to discuss shared interests. Users generally participate on the
8 platform pseudonymously, and Reddit does not require that users use their real names.

9 3. On February 10, 2023, Plaintiff served an initial subpoena on Reddit (the “Initial
10 Subpoena”), which sought oral testimony and documents that would reveal the identity of the Reddit
11 account, u/SOSilva7 (the “Target User”). Reddit timely objected to the Initial Subpoena, asserting
12 amongst other things, that it infringed upon the Target User’s First Amendment rights to speak
13 anonymously, and it improperly sought compliance more than 100 miles away from Reddit’s
14 residence. The parties subsequently conferred on Reddit’s objections on multiple occasions, and at
15 the same time, Reddit provided notice of the Initial Subpoena to the Target User on February 14,
16 2023.

17 4. On March 31, 2023, Plaintiff served an Amended Subpoena (the “Amended
18 Subpoena”) on Reddit that cured the place of compliance issue, narrowed the scope of the subpoena,
19 and only sought documents. Specifically, the Amended Subpoena, the subpoena at issue, seeks non-
20 content basic subscriber information for the Target User. Reddit timely objected to the Amended
21 Subpoena and re-asserted its First Amendment objection.

22 5. Thereafter, the parties continued their meet and confer efforts, agreeing that the
23 Amended Subpoena only seeks non-content basic subscriber information and the only outstanding
24 objection concerned the Target User’s First Amendment rights. The parties ultimately agreed that a
25 motion to compel would be necessary and further agreed that any motion to compel that Plaintiff
26 filed would be limited to having the court decide the First Amendment issue.

27
28

6. On April 20, 2023, Reddit provided the Target User with notice of Plaintiff's Motion to Compel.

I declare under penalty of perjury that the foregoing is true and correct. Executed on May 2, 2023 in Washington, District of Columbia.

By: /s/ John K. Roche
John K. Roche

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing has been served upon all counsel of record, via the Court's CM/ECF system on May 3, 2023, as follows:

BENJAMIN K. RILEY (SBN 112007) briley@bzbm.com KERRY L. DUFFY (SBN 233160) kduffy@bzbm.com BARTKO ZANKEL BUNZEL & MILLER A Professional Law Corporation One Embarcadero Center, Suite 800 San Francisco, California 94111 Telephone: (415) 956-1900 Facsimile: (415) 956-1152 Attorneys for Plaintiff RICCARDO SILVA	
---	--

/s/ Allison L. Jones

Allison L. Jones